



New South Wales

Gas Supply (Safety and Network Management) Amendment (Safe Gas Supply) Regulation 2011

under the

Gas Supply Act 1996

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Gas Supply Act 1996*.

PAUL LYNCH, MP
Minister for Energy

Explanatory note

The object of this Regulation is to remove the requirement for a network operator to ensure that matters concerning the design, construction or operation of, or extension to, a gas network are carried out in accordance with certain Australian Standards and instead require the operator to take into account any codes, standards, guidelines and requirements as the Director-General requires. A network operator will also be required to specify in its safety and operating plan where it or its implementation departs from the provisions of any such code, standards or guidelines and what arrangements are in place to ensure an equal or better outcome.

This Regulation is made under the *Gas Supply Act 1996*, including section 83 (the general regulation-making power).

2011 No 149

Clause 1 Gas Supply (Safety and Network Management) Amendment (Safe Gas Supply) Regulation 2011

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Amendment (Safe Gas Supply) Regulation 2011**

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1 Name of Regulation

This Regulation is the *Gas Supply (Safety and Network Management) Amendment (Safe Gas Supply) Regulation 2011*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Gas Supply (Safety and Network Management) Regulation 2008

[1] Clause 3 Definitions

Omit the definitions of *AS 1697*, *AS 2885*, *AS 3723*, *AS 4041*, *AS 4645*, *AS 5601* and *AS/NZS 1596* from clause 3 (1).

[2] Clause 3 (1), definition of “Australian Standard or Australian and New Zealand Standard”

Omit the definition. Insert instead:

Australian Standard means a standard published by Standards Australia.

[3] Clause 4 Network operators to ensure safe gas supply

Omit clause 4 (2) (but not the penalty provision). Insert instead:

- (2) A network operator must, when designing, constructing, operating or extending a gas network or any part of a gas network, take into account any standards (such as codes, Australian Standards, guidelines or other requirements) that have been notified in writing to the network operator by the Director-General for the purposes of this subclause.

[4] Schedule 1 Safety and operating plans

Omit clauses 1 (f) and 3 (8).

[5] Schedule 1, clause 10

Omit the clause. Insert instead:

10 Codes and standards

If a network operator has departed from any standards that it was required to take into account under clause 4 (2) of this Regulation when designing, constructing, extending or operating its gas network, or any part of its gas network, the safety and operating plan must contain an explanation of:

- (a) the extent of the departure, and
- (b) the arrangements in place to ensure that an equivalent or safer outcome has been achieved despite that departure.